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(Original Signature of Member)

109TH CONGRESS
1ST SESSION

H. R. _____

To temporarily extend the programs under the Higher Education Act of
1965, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BOEHNER (for himself and Mr. McKEON) introduced the following bill;
which was referred to the Committee on _____

A BILL

To temporarily extend the programs under the Higher
Education Act of 1965, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Higher Education Ex-
5 tension Act of 2005”.

6 **SEC. 2. EXTENSION OF PROGRAMS.**

7 (a) EXTENSION OF DURATION TO INCLUDE FISCAL
8 YEAR 2006.—The authorization of appropriations for, and



1 the duration of, each program authorized under the High-
2 er Education Act of 1965 (20 U.S.C. 1001 et seq.) shall
3 be extended through March 31, 2006.

4 (b) PERFORMANCE OF REQUIRED AND AUTHORIZED
5 FUNCTIONS.—If the Secretary of Education, a State, an
6 institution of higher education, a guaranty agency, a lend-
7 er, or another person or entity—

8 (1) is required, in or for fiscal year 2004, to
9 carry out certain acts or make certain determina-
10 tions or payments under a program under the High-
11 er Education Act of 1965, such acts, determinations,
12 or payments shall be required to be carried out,
13 made, or continued during the period of the exten-
14 sion under this section; or

15 (2) is permitted or authorized, in or for fiscal
16 year 2004, to carry out certain acts or make certain
17 determinations or payments under a program under
18 the Higher Education Act of 1965, such acts, deter-
19 minations, or payments are permitted or authorized
20 to be carried out, made, or continued during the pe-
21 riod of the extension under this section.

22 (c) EXTENSION AT CURRENT LEVELS.—The amount
23 authorized to be appropriated for a program described in
24 subsection (a) during the period of extension under this
25 section shall be the amount authorized to be appropriated



1 for such program for fiscal year 2004, or the amount ap-
2 propriated for such program for such fiscal year, which-
3 ever is greater. Except as provided in any amendment to
4 the Higher Education Act of 1965 enacted during fiscal
5 year 2005 or 2006, the amount of any payment required
6 or authorized under subsection (b) in or for the period
7 of the extension under this section shall be determined in
8 the same manner as the amount of the corresponding pay-
9 ment required or authorized in or for fiscal year 2004.

10 (d) ADVISORY COMMITTEES AND OTHER ENTITIES
11 CONTINUED.—Any advisory committee, interagency orga-
12 nization, or other entity that was, during fiscal year 2004,
13 authorized or required to perform any function under the
14 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.),
15 or in relation to programs under that Act, shall continue
16 to exist and is authorized or required, respectively, to per-
17 form such function for the period of the extension under
18 this section.

19 (e) ADDITIONAL EXTENSION NOT PERMITTED.—Sec-
20 tion 422 of the General Education Provisions Act (20
21 U.S.C. 1226a) shall not apply to further extend the au-
22 thorization of appropriations for any program described
23 in subsection (a) on the basis of the extension of such pro-
24 gram under this section.



1 (f) EXCEPTION.—The programs described in sub-
2 section (a) for which the authorization of appropriations,
3 or the duration of which, is extended by this section in-
4 clude provisions applicable to institutions in, and students
5 in or from, the Freely Associated States, except that those
6 provisions shall be applicable with respect to institutions
7 in, and students in or from, the Federated States of Mi-
8 cronesia and the Republic of the Marshall Islands only to
9 the extent specified in Public Law 108–188.

